

**SUPPLEMENTAL
SUPPORTING DOCUMENT No. 3**

**Letter to the Permittees Regarding the
Draft WQMP**

A document presented to the Regional Board on June 10, 2004.



California Regional Water Quality Control Board

San Diego Region



Terry Tamminen
Secretary for
Environmental
Protection

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June 2, 2004

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Dear Sirs:

**SUBJECT: DRAFT WATER QUALITY MANAGEMENT PLAN FOR URBAN
RUNOFF, RIVERSIDE COUNTY**

At our request, the Santa Ana Regional Water Quality Control Board forwarded for our review, a copy of the draft document entitled, *Water Quality Management Plan for Urban Runoff, Santa Ana River Region, Santa Margarita River Region*.

We found the draft document to be consistent with most of the Standard Urban Storm Water Mitigation Plan (SUSMPs) requirements specified in tentative Order No. R9-2004-001 and concur with the comments on the draft WQMP provided by the Santa Ana Regional Board by letter dated May 28, 2004. You would need to make the following minor modifications to the draft WQMP to be in full compliance with the SUSMP requirements for the Santa Margarita River watershed.

1. The Permittees will need to clarify that the WQMP applies to both discretionary and non-discretionary projects. WQMP requirements are based on threat to water quality and type/category of development, not the discretionary status.
2. Section 1.0, Page 2 states that projects within the Santa Margarita River Region that do not have conditions of approval or map approval by the SUSMP compliance date in tentative Order R9-2004-001 will be required to develop a project specific WQMP. The Permittees, however, are required to ensure SUSMPs are included in projects (where feasible) upon adoption of the tentative Order. We will notify the Permittees that we

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expect them to require post-construction structural BMPs through their DAMP and/or WQMP process until the SUSMPs are fully implemented.

3. Section 3.1, Page 5, The definition of Significant Redevelopment will need to be changed to include the replacement of structure of at least 5,000 square feet.
4. Section 3.3, Page 6 would need to include Environmentally Sensitive Areas as a development type for the Santa Margarita River Region.
5. Section 4.4, Page 9 includes three conditions (A, B, & C) that relieve a project of the requirement to address hydrologic conditions of concern within the WQMP. The Permittees will need to provide additional information on why these conditions would prevent increased downstream erosion and protect stream habitat.
6. Section 4.5.3.5, Volume Based Design appears to limit project proponents to using the unit basin storage volume to calculate the volume of runoff to be treated. We will point out to the Permittees that other methods for calculating the volume of runoff to be treated could be allowed to increase flexibility.
7. Section 4.5.3.5, Volume Based Design, A unit basin storage volume method would need to achieve 90% or more volume treatment not the 85% listed in the draft WQMP.
8. Section 4.5.4, Equivalent Treatment Control Alternatives allows off-site equivalent treatment BMPs if on-site treatment BMPs are determined to be infeasible or impracticable. This section appears to be allowing shared BMPs that treat runoff prior to discharge to receiving waters. Shared BMPs could be allowed under our Permit whether or not on-site structural BMPs are determined infeasible.
9. Section 5.0, Regionally –Based Treatment Control for installation of BMPs from development projects may result in non-compliance with Finding 18 and Section F.2.b.(3) of R9-2004-001. The WQMP would have to clearly specify that although structural treatment BMPs may be shared by multiple development projects, the BMPs must be installed at a location prior to discharge to a receiving water.
10. Section 7.0 Waiver of Treatment Control BMP Requirements allows elimination of structural treatment BMPs if site design and source control BMPs effectively eliminate pollutant discharges. R9-2004-001 does not allow for the waiver of structural treatment BMPs based only on site design and source control BMPs. However, Section F.2.b.4 does allow for an equivalent method for calculating volume or flow that must be treated. An equivalent method could include site design measures to reduce the amount of runoff that

June 2, 2004

must be treated structurally. In addition, a waiver of structural treatment BMPs is only allowed when all available BMPs have been considered and rejected as infeasible.

11. Exhibit F provides definitions that would need to be consistent with R9-2004-001.

As you can see with some minor modifications, the draft WQMP can also serve as the SUSMP required in the tentative Order No. R9-2002-001.

We appreciate your efforts in developing this important document and have noted that the Permittees are already requiring post construction treatment BMPs at some projects. We encourage the Permittees to continue their efforts to implement the SUSMP requirements to extent feasible during the 365-day implementation period. Please contact Eric Becker at (858) 492-1785 or email: becke@rb9.swrcb.ca.gov if you have any questions.

Respectfully,



Michael P. McCann, P.E.
Supervising Water Resources Control Engineer
San Diego Regional Water Quality Control Board

MPM:rwm:esb

cc: Michael Adackapara, Santa Ana RWQCB

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